

NOTE: This disposition is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

**BLACKBIRD TECH LLC, DBA BLACKBIRD
TECHNOLOGIES,
*Plaintiff-Appellant***

v.

**CLOUDFLARE, INC.,
*Defendant-Appellee***

2018-1644

Appeal from the United States District Court for the Northern District of California in No. 3:17-cv-06112-VC, Judge Vince Chhabria.

**BLACKBIRD TECH LLC, DBA BLACKBIRD
TECHNOLOGIES,
*Plaintiff-Appellant***

v.

**INCAPSULA, INC.,
*Defendant-Appellee***

2018-1648

Appeal from the United States District Court for the Northern District of California in No. 3:17-cv-06883-VC, Judge Vince Chhabria.

JUDGMENT

WALTER D. DAVIS, JR., Davidson Berquist Jackson & Gowdy, LLP, McLean, VA, argued for plaintiff-appellant. Also represented by STAMATIOS STAMOULIS, Stamoulis & Weinblatt LLC, Wilmington, DE; WENDY VERLANDER, Blackbird Tech LLC d/b/a Blackbird Technologies, Boston, MA.

ANTHONY MATTHEW GARZA, Charhon Callahan Robson & Garza, P.C., Dallas, TX, argued for defendants-appellees. Defendant-appellee CloudFlare, Inc. also represented by STEVEN CHASE CALLAHAN.

MICHAEL JOHN SACKSTEDER, Fenwick & West, LLP, San Francisco, CA, for defendant-appellee Incapsula, Inc.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (LOURIE, BRYSON, and MOORE, *Circuit Judges*).

AFFIRMED. See Fed. Cir. R. 36.

ENTERED BY ORDER OF THE COURT

February 13, 2019

Date

/s/ Peter R. Marksteiner

Peter R. Marksteiner

Clerk of Court